IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 15.09.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice S.MANIKUMAR

H.C.P. No.868 of 2006

T.Kannan ... Petitioner

vs.

1. The Inspector of Police,
Sankarapuram Police Station,
Sankarapuram Taluk,
Vizhupuram Dt.

2. Superintendent of Police,
Vizhupuram District.

3. K.Kumaraswamy ... Respondents

Petition under Article 226 of the Constitution of India for the issuance of writ of habeas corpus to direct the respondents to take action and release the detenue from detention and produce Mrs.Anjali before this Hon'ble Court.

For Petitioner : Mr.P.Udayashankar
For For R-1 and R-2 : Mr.M.Babu Muthu Meeran,
Addl. Public Prosecutor.

(Order of the Court was made by P.SATHASIVAM, J.)

The petitioner by name T.Kannan has filed this petition for production of the detenue, viz., Anjalai, before this Court and to release her from the custody of the third respondent.

2. Even at the time of admission, the first respondent/police produced detenu Anajalai before this Court. We enquired her. According to her, she is not happy with her husband, ie., the petitioner herein. She also expresses that since she was beaten on several occasions, she is not willing to continue her marital life with the petitioner. According to her, at present, she is residing with the third respondent, who is none else than her elder sister's son.

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

3. In the light of the assertion and statement of the detenue and her unwillingness to reside along with the petitioner and of the fact that she is not under the illegal custody of anyone including the third respondent, we are satisfied that no further adjudication is required in this petition. The detenue is at liberty to decide her future.

With the above observation, this Petition is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

JI.

To

1. The Inspector of Police, Sankarapuram Police Station, Sankarapuram Taluk, Vizhupuram Dt.

2.The Superintendent of Police, Vizhupuram District.

3.The Public Prosecutor, High Court, Madras.

+1cc to Mr.S.Pugalenthi, Advocate Sr 43537

KSJ (CO)
km/22.9.

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/